

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Matthew Corwin	Team: Squad #10	CCRB Case #: 201810368	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 12/07/2018 1:10 AM	Location of Incident: § 87(2)(b)	Precinct: 105	18 Mo. SOL 6/7/2020	EO SOL 1/22/2021	
Date/Time CV Reported Fri, 12/07/2018 1:39 AM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Thu, 12/13/2018 11:37 AM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. POM Richard Stevens	08134	955536	105 PCT
2. POM John Groves	30883	965158	105 PCT
3. POM William Crowe	31624	965016	105 PCT
4. POM Sean Hussey	10481	949124	105 PCT
5. POM Sean Lynch	31123	953024	105 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Richard Stevens	Discourtesy: Police Officer Richard Stevens acted discourteously toward § 87(2)(b)	§ 87(2)(b)
B.POM Richard Stevens	Abuse: Police Officer Richard Stevens refused to provide his shield number to § 87(2)(b)	§ 87(2)(b)
C.POM John Groves	Abuse: Police Officer John Groves refused to provide his shield number to § 87(2)(b)	§ 87(2)(b)
D.POM Sean Lynch	Abuse: Police Officer Sean Lynch refused to provide his shield number to § 87(2)(b)	§ 87(2)(b)
E.POM Sean Hussey	Abuse: Police Officer Sean Hussey refused to provide his shield number to § 87(2)(b)	§ 87(2)(b)
F.POM William Crowe	Abuse: Police Officer William Crowe refused to provide his shield number to § 87(2)(b)	§ 87(2)(b)
G.POM Richard Stevens	Abuse: Police Officer Richard Stevens refused to provide his name to § 87(2)(b)	§ 87(2)(b)
H.POM John Groves	Abuse: Police Officer John Groves refused to provide his name to § 87(2)(b)	§ 87(2)(b)
I.POM Sean Lynch	Abuse: Police Officer Sean Lynch refused to provide his name to § 87(2)(b)	§ 87(2)(b)
J.POM Sean Hussey	Abuse: Police Officer Sean Hussey refused to provide his name to § 87(2)(b)	§ 87(2)(b)
K.POM William Crowe	Abuse: Police Officer William Crowe refused to provide his name to § 87(2)(b)	§ 87(2)(b)
§ 87(4-b), § 87(2)(g)	§ 87(2)(b)	§ 87(2)(b)
§ 87(4-b), § 87(2)(g)	§ 87(2)(b)	§ 87(2)(b)
§ 87(4-b), § 87(2)(g)	§ 87(2)(b)	§ 87(2)(b)

Officer(s)	Allegation	Investigator Recommendation
§ 87(4-b), § 87(2)(g)	[REDACTED]	[REDACTED]
§ 87(4-b), § 87(2)(g)	[REDACTED]	[REDACTED]
§ 87(4-b), § 87(2)(g)	[REDACTED]	[REDACTED]
§ 87(4-b), § 87(2)(g)	[REDACTED]	[REDACTED]

Case Summary

On December 7, 2018, § 87(2)(b) filed the following complaint with IAB where it was assigned Original Log # 18-47873. It was referred to the CCRB, where it was received on December 13, 2018.

At approximately 1:10 a.m. on December 07, 2018, § 87(2)(b) was at his home located at § 87(2)(b) in Queens when he called 911 and asked for an ambulance to take him to the hospital for an injured foot. EMS arrived at the house, but § 87(2)(b) refused to go with the two EMTs, so they requested police assistance. Police Officer Richard Stevens, Police Officer William Crowe, Police Officer John Groves, Police Officer Sean Hussey, and Police Officer Sean Lynch, all of the 105th Precinct, arrived at § 87(2)(b)'s home, briefly spoke with the EMTs and knocked on § 87(2)(b)'s door. § 87(2)(b) opened his door and was speaking with PO Stevens, who had his flashlight out. § 87(2)(b) asked PO Stevens to stop shining the flashlight in his eyes and PO Stevens allegedly told § 87(2)(b) that he would not take the light out of § 87(2)(b)'s eyes because he was looking at them (**Allegation A: Discourtesy: Discourteous Action:** § 87(2)(g)).

§ 87(2)(b) then allegedly asked all of the officers there to write their shield numbers down for him and to provide him with their names, but none of them did (**Allegation B to Allegation F: Abuse of Authority: Refusal to provide shield number:** § 87(2)(g), **Allegation G to Allegation K: Abuse of Authority: Refusal to provide name:** § 87(2)(g)). § 87(2)(b) closed his door and the officers left the incident location.

§ 87(4-b), § 87(2)(g)

The investigation was unable to obtain any video of the incident.

Findings and Recommendations

Allegation A: Discourtesy: Police Officer Richard Stevens acted discourteously toward § 87(2)(b)

§ 87(2)(b) provided a phone statement on December 18, 2018 (**Board Review 01**) and provided a sworn statement at the Queens Central Library (**Board Review 02**). PO Stevens provided a statement at the CCRB on April 03, 2019 (**Board Review 03**), PO Groves provided a statement at the CCRB on March 13, 2019 (**Board Review 04**), PO Lynch provided a statement at the CCRB on March 22, 2019 (**Board Review 05**), PO Hussey provided a statement at the CCRB on March 22, 2019 (**Board Review 06**), and PO Crowe provided a statement at the CCRB on April 22, 2019 (**Board Review 07**).

§ 87(2)(b)'s statements were generally consistent. He said that PO Stevens was holding a flashlight and shining it directly in his eyes. When § 87(2)(b) asked him multiple times to stop, PO Stevens said, "No, I'm not taking the light out of your eyes. I'm looking at your eyes." According to § 87(2)(b) there was a light in his front yard, a light right to the side of the front door, and a bright light right above the inside of the doorway, making the flashlights unnecessary.

PO Stevens stated that the street was dark and not well lit. The front of § 87(2)(b)'s house was not lit and he was unsure if there were lights on inside or streetlights by the house. He stated that when the officers first started interacting with § 87(2)(b) they all had their flashlights out because it was dark and they did not know what they were walking into. § 87(2)(b) asked them why they were shining flashlights at him. PO Stevens told § 87(2)(b) that it was very dark, and they needed to see because they did not know § 87(2)(b). PO Stevens said he had his flashlight out initially but then put it away after he started speaking with § 87(2)(b).

PO Groves, PO Lynch, PO Hussey, and PO Crowe provided statements that were generally consistent. They stated that the house was poorly lit, and it was dark out, so in order to effectively see § 87(2)(b) the officers needed to use their flashlights. With the exception of PO Lynch, who heard § 87(2)(b) yell at an officer to turn his flashlight off, they did not hear § 87(2)(b) complain about a flashlight in his eyes.

§ 87(2)(g)

According to Patrol Guide Procedure 200-02, officers should treat every citizen with compassion, courtesy, professionalism, and respect, while efficiently rendering police services (**Board Review 08**).

§ 87(2)(g)

Allegation B: Abuse of Authority: Police Officer Richard Stevens refused to provide his shield number to § 87(2)(b)

Allegation C: Abuse of Authority: Police Officer John Groves refused to provide his shield number to § 87(2)(b)

Allegation D: Abuse of Authority: Police Officer Sean Lynch refused to provide his shield number to § 87(2)(b)

Allegation E: Abuse of Authority: Police Officer Sean Hussey refused to provide his shield number to § 87(2)(b)

Allegation F: Abuse of Authority: Police Officer William Crowe refused to provide his shield number to § 87(2)(b)

Allegation G: Abuse of Authority: Police Officer Richard Stevens refused to provide his name to § 87(2)(b)

Allegation H: Abuse of Authority: Police Officer John Groves refused to provide his name to § 87(2)(b)

Allegation I: Abuse of Authority: Police Officer Sean Lynch refused to provide his name to § 87(2)(b)

Allegation J: Abuse of Authority: Police Officer Sean Hussey refused to provide his name to § 87(2)(b)

Allegation K: Abuse of Authority: Police Officer William Crowe refused to provide his name to § 87(2)(b)

§ 87(2)(b)'s statements were generally consistent. § 87(2)(b) said he asked PO Stevens for his name and shield number. He then said, "Matter fact, let me get all y'all badge numbers. Write them down." He also asked them for their names. None of the officers gave him their shield numbers or names.

PO Stevens, PO Groves, PO Lynch, PO Hussey, and PO Crowe all stated that they did not hear § 87(2)(b) ask any officers for their names or shield numbers and that none of the officers provided § 87(2)(b) with their names or shield numbers.

§ 87(2)(g)
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

§ 87(4-b), § 87(2)(g)

§ 87(4-b), § 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) has been a party (**Board Review 13**).
- PO Stevens has been a member of service for six years and this is the first CCRB complaint to which he has been a subject.
- PO Groves has been a member of service for one year and this is the first CCRB complaint to which he has been a subject.

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- PO Crowe has been a member of service for one year and this is the first CCRB complaint to which he has been a subject.
- PO Lynch has been a member of service for seven years and has been a subject in two CCRB complaints and three allegations, of which none were substantiated.
- PO Hussey has been a member of service for nine years and has been the subject in two CCRB complaints and two allegations, of which none were substantiated.

Mediation, Civil and Criminal Histories

- This complaint was not suitable for mediation.
- A request for any Notice of Claim regarding this incident has been submitted to the New York City Comptroller's Officer, and the results will be added to the case file upon receipt.
- § 87(2)(b) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Squad No.: 10

Investigator:	Signature	Print Title & Name	Date
Squad Leader:	Signature	Print Title & Name	Date
Reviewer:	Signature	Print Title & Name	Date